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Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael J. Simons, et al

**METHOD FOR THE PREPARATION
OF A PRINTING PLATE**

Serial No. 10/628,853

Filed 28 July 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Group Art Unit: 1752

Examiner: Gilliam, Barbara Lee

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Cheryl L. Betteridge
Cheryl L. Betteridge

March 4, 2005
Date

Sir:

DECLARATION UNDER 37 C.F.R. 1.132

I, Michael J. Simons., do hereby state and declare that:

(1) I am the inventor of the invention described and claimed in U.S. Serial No. 10/628,192, filed July 28, 2003, published as US Patent Application Publication 2004/0020388 A1.

(2) I am aware that Claims 1-9 of the present application have been rejected as anticipated by the disclosure of my cited copending application. Irrespective of the merits of that rejection, any aspect of the invention claimed in the present application that is considered to be disclosed but not claimed in the cited copending application was derived from myself (that is one or more of the Applicants of the present application) and is thus not the invention "by another" as required by 35 U.S.C. 102(e).

(3) All statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. These statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and may jeopardize the validity of the present application or any patent issuing therefrom.

Date _____

Michael J. Simons